

Remarks

Applicants respectfully request reconsideration of this application as amended. Claims 1-2, 5-9, 19-20, 23, 25-26, 28-29, 32-33 and 35-36 have been amended. Claims 3-4, 10-18, 21-22, 24, 27, 30-31, 34 and 37-45 have been cancelled without prejudice. No new claims have been added. Therefore, claims 1-2, 5-9, 19-20, 23, 25-26, 28-29, 32-33 and 35-36 are now are presented for examination. The following remarks are in response to the final Office Action mailed on June 10, 2005.

35 U.S.C. § 112 Rejection

Claims 1-2, 5-9, 19-20, 23, 25-26, 28-29, 32-33 and 35-36 as best understood are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention.

Claims 1, 19 and 28 have been amended to overcome the rejection under 35 U.S.C. §112. Accordingly, Applicants respectfully request the rejection of claims 1-2, 5-9, 19-20, 23, 25-26, 28-29, 32-33 and 35-36 be withdrawn.

35 U.S.C. § 102(b) Rejections

Claims 1-2, 5-9, 19-20, 23, 25-26, 28-29, 32-33 and 35-36, as best understood are rejected under 35 U.S.C. §102(b) as being anticipated by Lotspiech, U.S. Patent No. 6,118,873 (“Lotspiech”).

Lotspiech discloses “[a] digital broadcast system [that] provides secure transmission of digital programs to in-home digital [user] devices even when some of the devices are unauthorized.” (Abstract). Lotspiech further discloses that “*each user device*

is provided with plural device keys. Each device key is a random number of predetermined bit size . . . [and] [t]he device keys of a particular device are accessible to [a] respective decryption module” “[T]he entire set of device keys used in the system are accessible to the encryption module. . . .” (col. 5, lines 9-16; emphasis provided).

In contrast, claim 1, in pertinent part, recites “encrypting each of the update keys using the corresponding secret key assigned to each of the valid receivers.” (emphasis provided). Applicants submit that Lotspiech does not teach or reasonably suggest such a feature. Lotspiech discloses device keys that are used in an encryption module (see col. 5, lines 9-16), however Lotspiech does not teach or reasonably suggest “using the corresponding secret key assigned to each of the valid receivers” as recited by claim 1. (emphasis provided). Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependant claims.

Claims 19 and 28 contain limitations similar to those of claims 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 19 and 28 their dependent claims.

Claims 1-2, 7-9, 19-20, 23, 25-26, 28-29, 32-33 and 35-36, as best understood are rejected under 35 U.S.C. §102(b) as being anticipated by Richards, U.S. Patent No. 6,069,957 (“Richards”).

Richards discloses transmitting keys “as a hierarchy, wherein one key unlocks another key, and the last key unlocked is sometimes called ‘key-upon-key’ encryption.” (Abstract). Richards further discloses that “distribution is typically accomplished by sending to each customer the decryption keys . . . in encrypted form.” (col. 4, lines 63-64; emphasis provided).

In contrast, claim 1, in pertinent part, recites “encrypting each of the update keys using the corresponding secret key assigned to each of the valid receivers.” (emphasis provided). Applicants submit that Richards does not teach or reasonably suggest such a feature. Richards discloses distributing encrypted decryption keys (see col. 4, lines 63-64), however Richards does not teach or reasonably suggest “using the corresponding secret key assigned to each of the valid receivers” as recited by claim 1. (emphasis provided). Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependant claims.

Claims 19 and 28 contain limitations similar to those of claims 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 19 and 28 their dependent claims.

35 U.S.C. § 103(a) Rejection

Claims 5-6, 23 and 32-33 are rejected under 35 U.S.C. §103(a) as being unpatentable over Richards in view of Uz, U.S. Patent No. 6,351,538 (“Uz”).

Claims 5-6, 23 and 32-33 depend from one of independent claims 1, 19 and 28 and thus they include all the limitations of their base claim. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 5-6, 23 and 32-33.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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